

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

DOUGLAS A. KARNS,	:	
	:	
Plaintiff,	:	Case No. 3:10cv00318
	:	
vs.	:	District Judge Thomas M. Rose
	:	Magistrate Judge Sharon L. Ovington
MICHAEL J. ASTRUE,	:	
Commissioner of the Social	:	
Security Administration,	:	
	:	
Defendant.	:	

DECISION AND ENTRY

The Court has conducted a de novo review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #13), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations.

It is therefore **ORDERED** that:

1. The Report and Recommendations filed on July 21, 2011 (Doc. #13) is ADOPTED in full;
2. The Commissioner's final decision that Plaintiff is not under a "disability" as defined by the Social Security Act is VACATED;

3. No finding is made regarding whether Plaintiff is under a “disability” as defined by the Social Security Act;
4. This matter is REMANDED to the Social Security Administration pursuant to Sentence Four of 42 U.S.C. § 405(g) for further proceedings consistent with this Decision and Entry and the Report and Recommendations; and
5. This case is terminated on the docket of this Court.

August 10, 2011

**s/THOMAS M. ROSE*

Thomas M. Rose
United States District Judge